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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/271,249	03/17/1999	TAKASHI SHINZAKI	614.1948	3857
21171	7590	07/18/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			ZAND, KAMBIZ	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/271,249	Applicant(s) SHINZAKI ET AL.	
	Examiner Kambiz Zand	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 34-59 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 34,36,38-43,45-46,49,51-56,58 and 59 is/are rejected.
7) ☒ Claim(s) 35,37,44,48,50 and 57 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

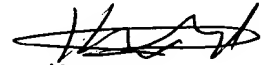
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 21 January 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


KAMBIZ ZAND
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Claims 1-33 have been cancelled.
4. New claims 34-59 have been added.
5. Claims 34-59 are pending.

Response to Arguments

6. Applicant's arguments with respect to the new independent claims 34, 43, 47 and 56 have been carefully considered, and they are persuasive only in the light of the dependent claims 35, 37, 44, 48, 50 and 57 respectively, and in harmony with the fig. 1a-b of applicant specification. Therefore the rejection of the claims 35, 37, 44, 48, 50 and 57 rendered by previous examiner has been withdrawn (see allowable subject matter below).

Claim Rejections - 35 USC § 103

7. Claims 34, 36, 38-43, 45-47, 49, 51-56 and 58-59 are rejected under 35

U.S.C. 103(a) as being unpatentable over Kanevsky (6,092,192) in view of Strait (6,038,315).

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. Applicant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Referring to the instant claims, Kanevsky discloses a method for repetitive enrollment in a biometric recognition system (see title and abstract).

Referring to claims 34 , 43, 47 and 56, Kanevsky teaches the method of extracting, processing and recognizing the biometric information of the user (see abstract and Fig 2). The limitation "measuring means for measuring biometric information" is met by a spoken utterance (see column 4, lines 60-65 and Fig 3), which receives the biometric (voice) sample. The limitation "converting means for carrying out a predetermined

conversion process" is met by encryption device (see Fig 3). "extracting feature information from the converted biometric information" is met by an extractor for extracting a biometric attribute from a user (see column 3, line 40). Kanevsky teaches comparing previously stored sample with the contemporaneously provided sample (see column 4, line 15) within the biometric verification system (see column 6, line 5). The limitation biometric information of individuals which was previously obtained and registered in advance" is met by storing biometric attribute in a memory device of a server (see column 3, line 40).

Kanevsky, however, does not explicitly teach verifying the extracted feature converted biometric information by comparing it against the extracted feature converted biometric information previously obtained.

Referring to the instant claims, Strait discloses a system for normalizing biometric variations to authenticate users from a public database (see abstract). Strait teaches recording (i.e. extracting) the original biometric information and convolving (i.e. converting) the biometric measurements (i.e. extracted feature) - see column 53, lines 50-55.

Strait teaches verifying the convolved biometric information by comparing the error correcting codewords produced from the convolved biometric measurements (i.e. converted extracted feature biometric information) -see column 2, lines 30-50 and Fig.2, blocks from 54 to 92. The limitation "comparison signal for use in authenticating" is met by comparing codewords and outputting match or no match result.

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Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to verifying the extracted feature converted biometric information of Kanevsky by comparing it against the extracted feature converted biometric information previously obtained as taught in Strait. One of ordinary skill in the art would have been motivated to verify the extracted feature converted biometric information by comparing it against the extracted feature converted biometric information previously obtained as taught in Strait for securing a cryptographic system based on biometric measurements (see Strait, column 2, lines 60-65).

Referring to claims 36, and 49 , the limitation "personal information related to the individual as the parameters" are met by password and decryption key (see column 8, line 40).

Referring to claims 38-41, 45-46, 51-55, 58-59, Kanevsky teaches the use of a server memory device (see abstract), which constitutes "recording medium", recited in the instant claims.

8. **Claims 34, 36, 38-43, 45-47, 49, 51-56 and 58-59** are rejected under 35 U.S.C. 103(a) as being unpatentable over Priddy (U.S. Patent No. 5,984,366) in view of Strait (U.S. Patent No. 6,038,315).

Referring to the instant claims Priddy discloses a system for creating and authenticating self-verifying articles (see abstract). The limitation "converting means for carrying out a predetermined conversion process " is met by computer, which includes the necessary encodation (conversion) algorithms (see column 5, lines 28-29).

Priddy teaches encoding the biometric data by using at list compression algorithms (see column 7, lines 33 -35).

Priddy, however, does not explicitly teach verifying the extracted feature converted biometric information by comparing it against the extracted feature converted biometric information previously obtained. Referring to the instant claims, Strait discloses a system for normalizing biometric variations to authenticate users from a public database (see abstract). Strait teaches recording (i.e. extracting) the original biometric information and convolving (i.e. converting) the biometric measurements (i.e. extracted feature) - see column 53, lines 50-55. Strait teaches verifying the converted biometric information by comparing the error correcting codewords produced from the convolved biometric measurements (i.e. converted extracted feature biometric information) -see column 2, lines 30-50 and Fig.2, blocks from 54 to 92.

Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to verifying the extracted feature converted biometric information of Priddy by comparing it against the extracted feature converted biometric information previously obtained as taught in Strait. One of ordinary skill in the art would have been motivated to verify the extracted feature converted biometric information by comparing it against the extracted feature converted biometric information previously obtained as

taught in Strait for securing a cryptographic system based on biometric measurements (see Strait, column 2, lines 60-65).

Allowable Subject Matter

9. **Claims 35, 37, 44, 48, 50 and 57** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (571) 272-3811. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KAMBIZ ZAND
PRIMARY EXAMINER

07/11/2006

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